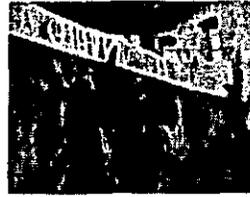
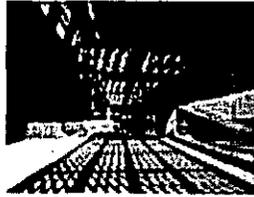
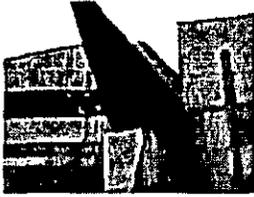


AGENDA



Thursday, August 10, 2006

The Austin City Council will convene at 10:00 AM
on Thursday, August 10, 2006, at Austin City Hall, Council Chambers,
301 W. 2nd Street, Austin, TX 78701.



05 AUG --4 PM 3:28

- Mayor Will Wynn
- Mayor Pro Tem Betty Dunkerley
- Council Member Lee Leffingwell, Place 1
- Council Member Mike Martinez, Place 2
- Council Member Jennifer Kim, Place 3
- Council Member Brewster McCracken, Place 5
- Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210



The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9: 55 AM -- Invocation

Dr. David Haney, Senior Pastor, Riverbend Church
Backup Material

10: 00 AM -- City Council Convenes

Approval of Minutes

1. Approval of the minutes from the special called meeting of July 19, 2006 and the regular Council meeting of July 27, 2006.
Backup Material

Budget

2. Adopt the maximum proposed ad valorem tax rate to be considered for Fiscal Year 2006-2007. (Related to item # 61)
Backup Material

Communications and Technology Management

3. Approve an ordinance changing the street name Charter Oak Lane to Florencia Lane. The application fee of \$415 has been paid. The processing fee of \$646.47 has been determined.
Backup Material
4. Approve an ordinance changing the street name Cheremoya Drive to Seville Drive. The application fee of \$415 has been paid. The processing fee of \$446.30 has been determined.
Backup Material

5. Approve an ordinance changing the street name Cielo Serena Trail to Cordoba Drive. The application fee of \$415 has been paid. The processing fee of \$459.30 has been determined.
Backup Material
6. Approve an ordinance changing the street name Longhouse Creek Drive to Toscana Avenue. The application fee of \$415 has been paid. The processing fee of \$459.30 has been determined.
Backup Material

Financial and Administrative Services

7. Approve an ordinance authorizing acceptance of grant funds in the estimated amount of \$236,000 from the Texas Department of Public Safety, Division of Emergency Management under Presidential Disaster Declaration Federal Emergency Management Agency (FEMA) 3216 E M resulting from the Hurricane Katrina evacuation, and \$14,000 under Presidential Disaster Declaration FEMA 1606 EM resulting from the Hurricane Rita evacuation; amending the Fiscal Year 2005-2006 Financial and Administrative Services Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate the aggregate grant funds described above; and approving payment of these grant funds to sub-grantees for assistance provided under mutual aid agreements. Funding in the amount of \$250,000 is available from the Texas Department of Public Safety, Division of Emergency Management.
Backup Material
8. Approve a resolution declaring the City of Austin's official intent to reimburse itself at a future date from the proceeds of Certificates of Obligation for costs related to compressed natural gas fuel facility. (As required by Section 103 of the Internal Revenue Code of 1986, as amended.) \$1,320,000 in non-tax related Certificates of Obligation to be issued in August 2007 or later. (Related to item # 9 and item # 45)
Backup Material

Fleet Services

9. Approve an ordinance authorizing application for and acceptance of \$150,000 in grant funds from the State Energy Conservation Office for the construction of a compressed natural gas fueling facility; amending the Fiscal Year 2005-2006 Fleet Services Special Revenue Fund Operating Budget of Ordinance No. 20050912-001 to appropriate \$150,000 in grant proceeds; and amending the Fiscal Year 2005-2006 Fleet Services Capital Budget of Ordinance No. 20050912-002 to appropriate \$150,000 from the Fleet Services Special Revenue Fund Operating Budget and \$1,320,000 from Certificates of Obligation proceeds for the construction of a compressed natural gas fueling facility. Funding in the amount of \$150,000 is available from a grant from the State Energy Conservation Office (SECO); funding in the amount of \$1,320,000 is available from Certificates of Obligation. (Related to item # 8 and item # 45)
Backup Material

Health and Human Services

10. Approve negotiation and execution of a 5-year \$100,000 contract with the River City Youth Foundation for expanded youth services in the renovated River City Youth Foundation Technology Center. Funding in the amount of \$100,000 is included in the Fiscal Year 2005-2006 Approved Operating Budget for the Health and Human Services Department
Backup Material

11. Authorize the execution of an Interlocal Agreement with MANOR INDEPENDENT SCHOOL DISTRICT, Manor, TX, to establish a district-wide, coordinated school health program focusing on health promotion and disease prevention, in support of the goals of the Steps to a Healthier Austin Program, in an amount not to exceed \$27,000, with two 12-month renewal options in an amount not to exceed \$55,000 per renewal option, for a total agreement amount not to exceed \$137,000. Funding in the amount of \$27,000 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Special Revenue Fund Steps to a Healthier US grant program. The initial Interlocal agreement period is June 1, 2006 through and including September 21, 2006. The grant period is September 22, 2005 to September 21, 2006. Funding for renewal options is contingent upon available funding in future budgets.
Backup Material

Human Resources

12. Approve an ordinance authorizing acceptance of \$43,000 in grant funds from the United States Housing and Urban Development Department for compliance with the Fair Housing Act and amending the Fiscal Year 2005-2006 Human Resources Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$43,000 in grant funds. Funding of \$43,000 is available from the U.S. Department of Housing and Urban Development. The grant period is October 1, 2005-September 30, 2006. An in-kind match is not required. A fiscal note is attached.
Backup Material

Law

13. Approve an amendment of the outside counsel contract with SCOTT, DOUGLASS & MCCONNICO, L.L.P, Austin, TX, for legal representation in connection with the City's claims in City of Austin v. Level 3 Communications, Inc. and Level 3 Communications, LLC; Cause No. GN 304585, in the 353rd Judicial District Court, Travis County, Texas, for damages to the City's Onion Creek Tunnel and liner, in an amount not to exceed \$35,000 for a total contract amount not to exceed \$1,093,000. Funding in the amount of \$35,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. (Related to item # 65)
Backup Material

Neighborhood Planning & Zoning

14. Cancel the Peninsula Annexation public hearing previously scheduled for August 31, 2006. No fiscal impact.
Backup Material

Neighborhood Housing and Community Development

15. Approve ratification, negotiation and execution of an agreement with the Urban Renewal Agency of the City of Austin and the Austin Revitalization Authority in an amount not to exceed \$900,000, for a three year term beginning October 1, 2004, for acquisition and development of property in the East 11th and 12th Streets Urban Renewal Area. There is no unanticipated fiscal impact. Recommended by the Urban Renewal Board.
Backup Material

Parks and Recreation

16. Approve an ordinance authorizing acceptance of \$31,000 in grant funds from the CAPITAL AREA FOOD BANK; and amending the 2005-2006 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate \$31,000 for a total grant of \$50,000 for the Kids Café located at the Montopolis Recreation Center and Dove Springs Recreation Center. Funding is available from the Capitol Area Food Bank of Texas.
Backup Material

Police

17. Approve execution of an Interlocal Agreement with Travis County to allow the County to connect to the City of Austin's Automated Palm and Fingerprint System (APFIS); to enter its fingerprint and palm records into the APFIS database; and to search the database for matches. The contract is initiated upon signing and will renew automatically on October 1 of each successive year for up to four renewal periods, unless terminated. Funding for the APFIS access and related costs will be maintained by Travis County.
Backup Material
18. Authorize the negotiation and execution of a one-year Interlocal Agreement with Travis County in the amount of \$4,589,912 for central booking and related jail services with four 12-month renewals. Funding in the amount of \$4,589,912 will be included in the Proposed Police Operating Budget for Fiscal Year 2007.
Backup Material

Public Works

19. Approve a resolution to authorize the fee simple acquisition of 1.00 acre of land out of the Garner Mayes Survey No. 501, Travis County, Texas, locally known as 9310 FM 812, from Arnulfo Cruz and Maria E. Cruz for the Airport Noise Mitigation Program, in the amount of \$150,000 for the land and improvements and \$135,000 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for a total amount not to exceed \$295,000. Funding in the amount of \$295,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
Backup Material
20. Approve a resolution to authorize the fee simple acquisition of a 1,044 square foot wastewater line easement and a 48,047 square foot water and wastewater line easement out of the William H. Sanders Survey No. 54, Abstract No. 690, Travis County, Texas, located at 7801 and 7817 Harris Branch Parkway and US Highway 290 East from APPLIED MATERIALS, INC., for a total amount not to exceed \$79,780 for the US Highway 290 East from Blue Goose Project. Funding is included in the 2005-2006 Capital Budget of the Austin Water Utility.
Backup Material
21. Authorize execution of a construction contract with AUSTIN UNDERGROUND INC., Lago Vista, TX, for the Barclay Drive STAA Wastewater Improvement Project in an amount not to exceed \$185,799. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of six bids received. 15.07% MBE and 5.33% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
Backup Material

22. Authorize execution of a construction contract with BENITEZ CONSTRUCTION, INC. (MBE/MH 84.21%), Manor, TX, for the Austin Clean Water Program: Govalle 4 - Pedernales Street Wastewater Improvements Project in an amount not to exceed \$192,834. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of eight bids received. 0% MBE and 6.45% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
Backup Material
23. Authorize execution of a construction contract with CENTRAL TEXAS UTILITY SERVICES, LLC. (MBE/FH 81.78%), Del Valle, TX, for the Austin Clean Water Program: Little Walnut-Georgian Drive Wastewater Improvements Project in an amount not to exceed \$261,440. Funding is included in the Fiscal Year 2005-2006 Capital Budget of the Austin Water Utility. Lowest of five responsive bids received. 16.99% MBE and 1.23% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
Backup Material
24. Authorize execution of a construction contract with LEWIS CONTRACTOR'S INC., Austin, TX, for the Airport Boulevard Wastewater Improvements (Service Extension Request # 2279) in the amount of \$1,453,738 plus a \$72,687 contingency, for a total contract amount not to exceed \$1,526,425. Funding in the amount of \$1,526,425 is available in the Fiscal Year 2005-2006 Capitol Budget of Austin Water Utility. Lowest of five bids received. 6.17% MBE and 8.53% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
Backup Material
25. Authorize execution of a construction contract with M AND M WATERPROOFING and RESTORATION, LLC, Houston, TX for the George Washington Carver Historic Museum Exterior Renovation Project in an amount not to exceed \$78,750. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Parks and Recreation Department. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified. Therefore, no goals were established for this solicitation.
Backup Material
26. Authorize negotiation and execution of an amendment to the professional services agreement with DANNENBAUM ENGINEERING COMPANY, Austin, TX, for engineering services for the William Cannon Bridge over Onion Creek Phase 2 Project in the amount of \$250,000, for a total contract amount not to exceed \$550,000. Funding in the amount of \$250,000 is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department. 15.79% MBE and 17.34% WBE subconsultant participation to date.
Backup Material
27. Authorize negotiation and execution of an amendment to the professional services agreement with CARTER DESIGN ASSOCIATES, (MBE/FB 24%), Austin, TX, for design phase architectural and engineering services for interior renovation of the George Washington Carver Historic Museum in the amount of \$15,850, for a total contract amount not to exceed \$1,163,694. Funding in the amount of \$15,850 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Parks and Recreation Department. 14.0% MBE and 19.0% WBE overall sub-consultant participation to date including this amendment.
Backup Material
28. Authorize negotiation and execution of an amendment to the professional services agreement with URBAN DESIGN GROUP (WBE/FR 52.23%), Austin, TX, for engineering services for the East

7th Street Corridor Improvements Project – Priority Area 1 for streetscape and safety improvements in the amount of \$385,000, for a total contract amount not to exceed \$730,985.96. Funding in the amount of 385,000 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Neighborhood Planning and Zoning Department. 19.60% MBE and 19.70% WBE subconsultant participation to date. A briefing was presented to the Design Commission and to the Urban Transportation Commission.

Backup Material

29. Approve an ordinance to amend Section 12-4-63 of the City Code to establish a 20 miles-per-hour school zone on Parker Lane from 200 feet north of Wickshire Lane to 232 feet south of Wickshire Lane for Linder Elementary School; and provide for emergency passage. Funding in the amount of \$19,720.05 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Works Department for the installation of necessary signs.
30. Approve an ordinance awarding a taxicab franchise to ABCABCO, INC., d/b/a LONE STAR CAB COMPANY, CAPITAL CITY CAB COMPANY or GREEN EAGLES, INC., d/b/a LONGHORN CAB COMPANY, as chosen by lottery pursuant to Section 13-2-309(C) of the City Code, to operate a taxicab service in the City; and waiving the provisions of Section 13-2-309(B) of the City Code establishing the maximum number of permits that may be allocated to a franchise applicant. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$22,000. The taxicab permit fee of \$400 per year per permit is a revenue source. Expected annual revenue is \$22,000.

Backup Material

Purchasing Office

31. Authorize award and execution of Amendment No. 8 to the contract with REMEDY INTELLIGENT STAFFING, Austin, TX, for temporary customer contact center and city-wide information center (3-1-1) personnel services, to increase the second extension option in an estimated amount not to exceed \$507,500, for a revised total estimated contract amount not to exceed \$4,881,810. Funding in the amount of \$253,750 is available in the Fiscal Year 2005-2006 Amended Operating Budget for Austin Energy. Funding for the remaining two months of the last contract period is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
32. Authorize award, negotiation and execution of two 12-month requirements service contracts with APPLEONE EMPLOYMENT SERVICES, Austin, Texas and EUROSTAFF, Austin, Texas to provide temporary staffing services for the Austin Energy Utility and the Citywide Information (3-1-1) customer contact in-bound call centers in an estimated combined amount not to exceed \$3,062,098, with four 12-month extension options in an estimated combined amount not to exceed \$3,062,098 per extension option, for a total estimated combined contract amount not to exceed \$15,310,490. Funding in the amount of \$255,174.83 is available in the Fiscal Year 2005-2006 Amended Operating Budget for Austin Energy. Funding for the remaining 11 months of the original contract period and extension options is contingent upon available funding in future budgets. Best two evaluated proposals of five proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were

established for this solicitation.

Backup Material

33. Authorize award and execution of a 36-month requirements service contract with ASPLUNDH TREE EXPERT CO., Corpus Christi, TX for transmission utility line clearance services in an estimated amount not to exceed \$4,525,900, with two 12-month extension options in an estimated amount not to exceed \$1,524,171 for the first extension option and \$1,532,158 for the second extension option, for a total estimated contract amount not to exceed \$7,582,229. Funding in the amount of \$125,720 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. 13.17% MBE and 4.40% WBE Subcontractor Participation.

Backup Material

34. Authorize award, execution, and modification of a 36-month requirements service contract with ASPLUNDH TREE EXPERT CO., Corpus Christi, TX and DAVEY TREE SURGERY CO., Livermore, CA for distribution utility line clearance services in a revised combined and estimated amount not to exceed \$36,000,000, with two 12-month extension options in a revised combined and estimated amount not to exceed \$12,000,000 per extension option, for a total revised combined and estimated contract amount not to exceed \$60,000,000. Funding in the amount of \$1,000,000 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining 35 months of the original contract period and extension options is contingent upon available funding in future budgets. Two bids received. 28.32% MBE and 3.92% WBE subcontractor participation (Asplundh Tree); & 7.32% MBE and 3.05% WBE subcontractor participation (Davey Tree)

Backup Material

35. Authorize award, negotiation, and execution of a contract with DUTKO WORLDWIDE, LLC, Washington, DC, for business consulting services for the plug-in hybrid campaign in an estimated amount not to exceed \$97,800. Funding is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Best evaluated proposal of two proposals received. This contract will be awarded in accordance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

36. Authorize execution of Amendment No. 7 to a contract with HONEYWELL UTILITY SOLUTIONS, Austin, TX, to increase the current and remaining option for the installation of programmable thermostats and water heater switches/timers, and administration of the direct load controllers for the Power Partner Program, in an estimated amount not to exceed \$103,600 for the current option and an estimated amount not to exceed \$567,740 for the final option, for a total estimated contract amount not to exceed \$6,540,624. Funding in the amount of \$69,067 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining one month of the contract period and the extension option is contingent upon available funding in future budgets. Contract Amendment This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

37. Authorize award, negotiation and execution of a contract with OSISOFT, INC., San Leandro, CA, for the purchase of a data historian system (software and communication) to incorporate into the existing microprocessor control systems at Holly, Decker, and Sand Hill power plants, in an amount

not to exceed \$359,757. Funding is available in Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Sole proposal received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

38. Authorize award and execution of Amendment No. 2 with POWELL ELECTRICAL SYSTEMS, INC., Houston, TX, for 15kV metal-clad switchgear to increase funding in an estimated amount not to exceed \$843,092, for a revised total estimated contract amount not to exceed \$14,739,668. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Contract Amendment. This contract was awarded in compliance with Chapter 2-9D of the City Code (Minority and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

39. Authorize award and execution of three contracts with the following vendors: S.D.P. MANUFACTURING, INC., Dunkirk, IN, for the purchase of one trailer-mounted mini-derrick in an amount not to exceed \$126,000; TEAM FENEX, Sandoval, IL, for the purchase of two trailer-mounted power units in an amount not to exceed \$65,866.44; and with TEREX UTILITIES SOUTH, INC., San Antonio, TX, for the purchase of one trailer-mounted four-drum cable puller in an amount not to exceed \$124,907. Funding in the amount of \$316,773.44 is available in the Fiscal Year 2005-2006 Amended Capital Budget of Austin Energy. Lowest bids meeting specifications of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

40. Authorize award, negotiation and execution of a 12-month requirements service contract with TMG CONSULTING, INC., Austin, TX, for Customer Information Systems (CIS) gap analysis and related services in an estimated amount not to exceed \$217,100, with two 12-month extension options in an estimated amount not to exceed \$217,100 per extension option, for a total estimated contract amount not to exceed \$651,300. Funding in the amount of \$217,100 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of eight proposals received. This contract will be awarded in accordance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

41. Authorize award and execution of a contract with ASHBROOK SIMON-HARTLEY, Houston, TX, for new upgrade replacement parts and factory machine reconditioning of three gravity belt thickeners for the Austin Water Utility for a total contract amount not to exceed \$159,477. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Sole Source. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this procurement.

Backup Material

42. Authorize ratification of a contract with BRENNTAG SOUTHWEST, Sand Springs, OK, for the emergency purchase of approximately 588,000 lbs. of liquid chlorine for the Austin Water Utility's Ullrich Water Treatment Plant, in an estimated amount not to exceed \$540,960. Funding is available

in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Emergency Purchase

Backup Material

43. Authorize award and execution of a 24-month requirements supply contract with WESTCOAST ROTOR INC., Gardena, CA, for repair parts for Robbins & Myers Progressive Cavity Pumps for the Austin Water Utility, in an estimated amount not to exceed \$100,000, with two 12-month extension options in an estimated amount not to exceed \$50,000 for the first extension option and an estimated amount not to exceed \$62,500 for the second extension option, for a estimated total contract amount not to exceed \$212,500. Funding in the amount of \$8,333 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility. Funding for the remaining 22 months of the original contract period and extension options will be contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this procurement.

Backup Material

44. Authorize award and execution of a 12-month requirements service contract with LONGHORN CAR-TRUCK RENTALS, INC., Austin, TX for the rental of full-size pick-up trucks in an estimated amount not to exceed \$117,720. Funding in the amount of \$19,620 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Financial and Administrative Services Department, Fleet Fund. Funding for the remaining ten months of the original contract period is contingent upon available funding in future budgets. Lowest bid meeting specification of five bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

45. Authorize award, negotiation, and execution of a 11-year contract with PINNACLE CNG SYSTEMS, LLC, Midland, TX, for the design, installation, operation, and maintenance of a compressed natural gas (CNG) fueling facility in an estimated amount not to exceed \$2,691,952, with one 5-year extension option in an estimated amount not to exceed \$1,217,158, for a total estimated contract amount not to exceed \$3,909,110. Funding in the amount of \$1,164,621 is available from certificates of obligation and a grant from the State Energy Conservation Office (SECO) in the Fiscal Year 2005-2006 Amended Capital Budget of the Financial and Administrative Services Department, Fleet Services Division. Funding in the amount of \$1,527,331 for the ongoing annual maintenance and operation of the compressed natural gas site is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. (Related to item # 8 and item # 9)

Backup Material

46. Authorize award, negotiation, and execution of a 36-month requirements service contract with ERISA ADMINISTRATIVE SERVICES, INC. Austin, TX for benefit plan administration services including dental claims, flexible benefits, COBRA and retiree self-pay, and eligibility in an estimated amount not to exceed \$2,744,000, with three 12-month extension options in estimated amounts not to exceed \$1,105,000 for the first extension option, \$1,229,000 for the second extension option, and \$1,568,000 for the third extension option, for a total estimated contract amount not to exceed \$6,646,000. Funding in the amount of \$686,000 is available in the Fiscal Year 2006-2007 Proposed Operating Budget of the Employee Benefits Fund of the Human Resources Department. Funding for

the remaining 27 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of ten proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

47. Authorize award, negotiation, and execution of two requirements service contracts with UNITEDHEALTHCARE OF TEXAS, Plano, TX, as follows: a 36-month service contract for a provider network, utilization review and claims administration for a self-funded Preferred Provider Organization medical plan and for Prescription Benefit Management services in an estimated amount not to exceed \$11,230,000, with three 12-month extension options in estimated amounts not to exceed \$4,917,000 for the first extension option, \$5,680,000 for the second extension option and \$7,545,000 for the third extension option, for a total estimated contract amount not to exceed \$29,372,000; and a 12-month service contract for Stop-Loss coverage for the self-funded Preferred Provider Organization medical plan in an estimated amount not to exceed \$490,000, with five 12-month extension options in estimated amounts not to exceed \$620,000 for the first extension option, \$784,000 for second extension option, \$992,000 for the third extension option, \$1,255,000 for the fourth extension option and \$1,588,000 for the fifth extension option, for a total estimated contract amount not to exceed \$5,729,000. Funding in the amount of \$3,175,000 is available in the Fiscal Year 2006-2007 Proposed Operating Budget of the Employee Benefits Fund of the Human Resources Department. Funding for the remaining 27 months of the original contract period for one contract and the remaining three months of the other contract, and extension options is contingent upon available funding in future budgets. Best evaluated proposal of fourteen proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

48. Authorize award and execution of an Interlocal agreement with THE STATE OF TEXAS DEPARTMENT OF STATE HEALTH SERVICES, Austin, Texas for laboratory services in amount not to exceed \$30,000 with four 12-month extension options in an amount not to exceed \$30,000 per extension for a total agreement amount not to exceed \$150,000. Funding in the amount of \$5,000 is included in the Fiscal Year 2005-2006 Operating Budget of the Health and Human Services Department. Funding for the remaining ten months of the original period and extension options is contingent upon available funding in future budgets. Interlocal Agreement.

Backup Material

49. Authorize award and execution of a 24-month requirements supply contract with CORPORATE EXPRESS IMAGING AND COMPUTER GRAPHIC SUPPLIES, Arlington, TX, for blank videotapes and other media in an estimated amount not to exceed \$104,189.20, with two 12-month extension options in an estimated amount not to exceed \$52,094.60 per extension option, for an estimated total contract not to exceed \$208,378.40. Funding in the amount of \$8,682.43 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department. Funding for the remaining 22 months of the original contract period and the extension options is contingent upon available funding in future budgets. Lowest bid of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Backup Material

50. Authorize Amendment No. 1 to an Interlocal agreement with TRAVIS COUNTY, Austin, TX, for the funding of an Assistant District Attorney for the Project Safe Neighborhood Gun Violence Program in an amount not to exceed \$40,786. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department, Special Revenue Fund: Project Safe Neighborhood Grant. Interlocal agreement.
Backup Material
51. Authorize award and execution of a cooperative purchase through the Texas Local Statewide Government Purchasing Cooperative (Buyboard) with COMARK BUILDING SYSTEMS, DeSoto, TX for the purchase and installation of a modular classroom building in an amount not to exceed \$88,127. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department, Special Revenue Fund - Justice Assistance Grant. Cooperative Purchase.
Backup Material
52. Authorize award and execution of a contract with TRAILERS OF TEXAS, INC., Houston, TX, for the purchase of one vacuum tank trailer in an amount not to exceed \$57,400. Funding is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Watershed Protection and Development Review Department. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
Backup Material
53. Authorize award and execution of a 12-month requirements supply and services contract with the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) Austin, TX, for the purchase of computer software products, maintenance, training, information technology services, and telecommunication products and services in an estimated amount not to exceed \$9,500,000, with one 12-month extension option in an estimated amount not to exceed \$8,000,000, for a total estimated contract amount not to exceed \$17,500,000. Funding in the amount of \$3,043,523.20 is available in Fiscal Year 2005-2006 Approved Operating Budgets from various departments. Funding in the amount of \$1,533,155 is available in the Fiscal Year 2005-2006 Approved Capital Budgets from various departments. Funding in the amount of \$81,500 is available in Fiscal Year 2005-2006 Grant Budgets. Funding for the remaining 11 months of the contract period and extension option is contingent upon available funding in future budgets.
Backup Material

Telecommunications & Regulatory Affairs

54. Authorize amendment of the agreement with Grande Communications for playback services for the public access channels for additional amount not to exceed \$42,330.24. Funding will be available in the FY 2006-2007 proposed Cable Access Fund Budget. Recommended by Emerging Technology and Telecommunications Council Subcommittee.
Backup Material

Treasury Office

55. Approve a resolution authorizing and direct publication of an Official Notice of Intention to Issue \$24,150,000 City of Austin, Texas, Certificates of Obligation, Series 2006. There is no unanticipated fiscal impact. A fiscal note is not required. Reviewed by the Audit and Finance Committee.
Backup Material

Watershed Protection and Development Review

56. Approve issuance of a Street Event Permit for "The 2nd Annual Austin Bat Festival", a fee paid event in the 100 block of South Congress Avenue Bridge, for a fundraising event benefiting Bat Conservation International; scheduled for September 2-3, 2006.
Backup Material

Item(s) from Council

57. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
Backup Material
58. Authorize payment of costs in amount not to exceed \$2,700 for the Austin Independent School District's 125th Anniversary Celebration and Parade to be held on September 12, 2006. (Mayor Will Wynn Council , Council Member Sheryl Cole and Council Member Jennifer Kim)
Backup Material
59. Approve a resolution directing the City Manager to initiate an amendment to the North University Neighborhood Conservation Combining District (generally bounded by 38th Street on the north, Duval Street on the East, San Jacinto Boulevard, Speedway, and 27th Street to the south, and Guadalupe Street to the west) to address the location of club or lodge uses. (Council Member Lee Leffingwell and Mayor Pro Tem Betty Dunkerley)
Backup Material
60. Approve a resolution directing the City Manager to create a task force to develop a plan for consideration by Council that by 2015 all new single-family homes be built as "Zero Energy Capable Homes". (Mayor Will Wynn, Council Member Jennifer Kim and Council Member Lee Leffingwell)
Backup Material

Item(s) to Set Public Hearing(s)

61. Approve a resolution setting the date that the City Council will adopt a Fiscal Year 2006-2007 ad valorem tax rate (Monday, September 11, 2006, Tuesday, September 12, 2006, or Wednesday, September 13, 2006); and setting public hearings on the proposed tax rate (6:00 p.m. Thursday, August 24, 2006 and 6:00 p.m. Thursday, August 31, 2006). (Related to item # 2)
Backup Material

11: 00 AM -- Morning Briefings

62. Presentation of the Fiscal Year 2006-2007 Proposed Budget for the Community Services Departments, including the Parks and Recreation Department, the Library Department, the Health and Human Services Department, the Neighborhood Housing and Community Development Department, and Solid Waste Services Department.

12: 00 PM -- Citizen Communications: General

Jimmy Castro - Back to School for A.I.S.D.

Gene Rodgers - Access to Visitor's Bureau

Sara Strandtman - Bouldin Meadows

Patty Sprinkle - Neighborhood Issues

Jennifer Gale - City Council Dept. of \$40,000

Paul Robbins - City Issues

Debbie Russell - Police Issues; Red Light Cameras

Johnette Mason - Making the AIDS virus vaccine more available to HTP Virus. Make available to the low-income, poor and those without insurance visiting the clinics.

Anabel Acuna - Increase Services for Youth in Austin Presentation by PODER's Young Scholars for Justice.

Nicole Martinez - Increase Services for Youth Presentations by PODER's YSJ

Executive Session

63. Discuss legal issues related to Texas Local Government Code Chapter 245 claims by Advanced Micro Devices and Stratus Properties regarding development of the Lantana Tract. (concerns development in an area subject to the Save Our Springs Initiative, Chapter 25-8 of the City Code)(Private Consultation with Attorney 551.071) **Backup Material**
64. Discuss legal issues concerning a settlement agreement in EEOC Charge No. 31CA00865, filed in 2000 and currently pending before the U.S. Equal Employment Opportunity Commission, alleging discrimination related to the Candidate Physical Ability Test (CPAT) used by the Austin Fire Department in selecting new firefighters. (Private Consultation with Attorney - Section 551.071)(Related to item # 67) **Backup Material**
65. Discuss legal issues in City of Austin v. Level 3 Communications, Inc. and Level 3 Communications LLC; Cause No. GN 304585, in the 353rd Judicial District Court of Travis County, Texas and the outside counsel contract with Scott, Douglass & McConnico. (concerns damage to the City's Onion Creek Tunnel and liner) (Private Consultation with Attorney - Section 551.071) (Related to item # 13) **Backup Material**
66. Discuss legal issues related to the state law requirements for adopting a maximum proposed tax rate. (Private Consultation with Attorney - Section 551.071)

Backup Material

Action on Executive Session

67. Approve a settlement agreement in connection with EEOC Charge No. 31CA00865 filed in 2000 and currently pending before the U.S. Equal Employment Opportunity Commission, alleging discrimination related to the Candidate Physical Ability Test (CPAT) used by the Austin Fire Department in selecting new firefighters.

(Related to item # 64)

 **Backup Material**

3: 00 PM -- Austin Housing Finance Corporation Board of Directors Meeting

The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will re-convene (See attached AHFC agenda).

4: 00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

68. C14-06-0099 - Goodrich - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2105 Goodrich Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to urban family residence-conditional overlay (SF-5-CO) combining district zoning. First reading approved on July 27, 2006. Vote: 7-0. Applicant: David Ward. Agent: David Ward. City Staff: Robert Heil, 974-2330.

 **Backup Material**

4: 00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 69 PH. C14-06-0116 - 1017 West Slaughter - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1017 West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract 1, and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: Elinor Walther (Elinor Kosta). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Walsh, 974-7719.

 **Backup Material**

- 70 PH. C14-06-0086 - Bill's Auto Parts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8200 South Congress Avenue (South Boggy Creek Watershed) from development reserve (DR) district zoning and single-family residence-standard lot (SF-2) district zoning to limited industrial (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial-conditional overlay (LI-CO) combining district zoning for Tract 1, and rural-residence-conditional overlay (RR-CO) combining district zoning for Tract 2. Applicant: South Side Storage (Bobby New). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

 **Backup Material**

- 71 PH. C14-06-0092 - Austin Diagnostic Clinic - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12201, 12303 and 12301 Tomanet Trail; and 2312, 2316, 2400, 2402 & 2404 Cedar Bend Drive (Walnut Creek

Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Austin Diagnostic Clinic Association (Robert Spurck). Agent: Clark, Thomas & Winters, P.C. (John M. Joseph). City Staff: Jorge E. Rousselin, 974-2975.

[Backup Material](#)

- 72 PH. C14-06-0131 - Riata Phase 9 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701-5725 Diehl Trail (Walnut Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Applicant: Blue Star Austin Land, L.P. (George C. Mitchell). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-7057.

[Backup Material](#)

- 73 PH. C14-06-0079 - Bluebonnet Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2215 Bluebonnet Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Applicant: Howard Baker. Agent: Charles Whitford. City Staff: Robert Heil, 974-2330.

[Backup Material](#)

5: 30 PM -- Live Music

KidsActing

5: 30 PM -- Proclamations

Proclamation -- Meet the Lender Fair -- to be presented by Mayor Will Wynn and to be accepted by Rosy Jalifi

Proclamation -- John Henry Faulk Free Speech Day -- to be presented by Mayor Will Wynn and to be accepted by Stefan Wray

Proclamation -- 2006 National Poetry Slam -- to be presented by Mayor Will Wynn and to be accepted by Phil West

6: 00 PM -- Public Hearings and Possible Actions

- 74 PH. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2006-2007 Proposed Budget for the Community Services Departments, including the Parks and Recreation Department, the Library Department, the Health and Human Services Department, the Neighborhood Housing and Community Development Department, and Solid Waste Services Department.

Backup Material

- 75 PH. Conduct a public hearing to receive comments on issues related to the full purpose annexation of the Lost Creek MUD annexation area (approximately 789 acres in Travis County, located west of Capital of Texas Highway, west of the intersection of Lost Creek Boulevard and Capital of Texas Highway). Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan.

Backup Material

- 76 PH. Conduct a public hearing on an appeal by Ian Inglis, President, Austin City Lofts Homeowner's Association, of the Planning Commission's decision to approve a Conditional Use Site Plan Permit, to allow a cocktail lounge within the DMU, Downtown Mixed Use zoning district, SPC-06-0104A, located at 817 W. 5th Street. Approved staff recommendation to allow the cocktail lounge use with the DMU, Downtown Mixed Use zoning district, and limit the hours of operations from 7am to 12 midnight, Planning Commission, May 23, 2006, (8-0)

Backup Material

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-3256 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak. Please call 974-3256 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

CITY COUNCIL AGENDA

Council Meetings

January 12, 2006
January 26, 2006

February 2, 2006
February 9, 2006
February 16, 2006

March 2, 2006
March 9, 2006
March 23, 2006

April 6, 2006
April 20, 2006
April 27, 2006

May 4, 2006
May 18, 2006
May 25, 2006

June 8, 2006
June 22, 2006

July 27, 2006

August 10, 2006
August 24, 2006
August 31, 2006

September 11,12,13
(Budget Readings)
September 28, 2006

October 5, 2006
October 19, 2006
October 26, 2006

November 2, 2006
November 16, 2006
November 30, 2006

December 7, 2006
December 14, 2006

Cancelled Meetings

January 5, 2006
January 19, 2006

February 23, 2006

March 16, 2006
March 30, 2006

April 13, 2006

May 11, 2006

June 1, 2006
June 15, 2006
June 29, 2006

July 6, 2006
July 13, 2006
July 20, 2006

August 3, 2006
August 17, 2006

September 7, 2006
September 14, 2006
September 21, 2006

October 12, 2006

November 9, 2006
November 23, 2006

December 21, 2006
December 28, 2006